

St. Louis County Lease Program

Updates from the St. Louis County Land Department

Summer 2011



Summer Lease News

Changes to Lease Transfer Policy

Duluth, MN - After careful review of county lease cabin transfers, the St. Louis County Land Department has amended lease transfer policy to make it more consistent with zoning rules and state statute. Several areas have been addressed and policy has been clarified.

- For lease transfers with previously authorized non-conformities including **lake setback infringements** and **excessive square footage**, the lease transfer may be completed without having to address the non-conformity prior to the transfer. This matches planning and zoning requirements and state statute which allows transfers or sales to take place on properties that have a non-conformance that has been previously authorized.
- In accordance with zoning policy and state statute, the non-conformance is required to be addressed when there is a **major renovation or reconstruction** of the subject structure. The St. Louis County Land Department will have the final say on what constitutes major renovation or reconstruction.
- Trailer houses will continue to be phased out with their removal required at the time of a transfer and a new stick built cabin constructed on the lease site. Trailer houses are specifically addressed in item 7 of every leaseholder's lease agreement. The new lessee will have one year



to remove the trailer house, two years to initiate new construction and three years to finish the construction.

- Any unpaid billing, solid waste fee or penalty or an outstanding violation must be addressed prior to a transfer taking place.
- Recreation cabin leaseholders will be required to cap unauthorized, non-compliant or unused wells by a certified well driller prior to a transfer taking place. Please see Wells on County Lease Sites below for more detail.

River Leases May Have One Dock

Recreation cabin leases located on a river or small lake (generally identified with a lease number beginning with 0285) may have one dock at their lease site no longer than 35 feet in length. This is consistent with shoreland lease policy and formally allows the placement of docks on these lease sites.



Wells on County Lease Sites

In St. Louis County, Recreation Cabin leaseholders are not allowed to have wells on their lease sites. Item 9 on the Recreation Cabin Site Lease Agreement stipulates that lessees will not be allowed to put a well on their lease site. Shoreland leaseholders are allowed to have a well on their lease site. Some Recreation Cabin leaseholders do have wells, most of which were installed

prior to the lease agreement clarifying this term of the lease. Most of these wells are very old and were in place decades ago. In an effort to determine where wells are located on St. Louis County managed lands, the Land Department is asking leaseholders to tell us if they have a well on their lease site, and help us locate it. Some old wells are a significant public safety hazard and unused wells can contribute to groundwater contamination. By law, (Minnesota Statutes, section 103I.235) the status of wells must be disclosed. If a leaseholder sells their personal property and transfers their lease and fails to disclose the location of a well on their lease site, they can be prosecuted. For safety reasons and to adhere to state statute, the Land Department is asking

you to visit our website to fill out a brief form. **The form can be found at the internet address listed at the bottom of this newsletter.** If you don't have internet access, please contact our office for a form.

Other Lease Clarifications:

- Structures on wheels like wheeled saunas, will be considered in the same category as a camper or trailer on a lease site as long as they have a current license.
- New leaseholders or lessees considering transferring their lease interest should be aware that access across private lands is not guaranteed.
- Saunas on lease sites do not need a gray water system or holding tank, nor do cabins with sinks.
- Only one ice fishing shanty or fish house may be stored on a lease site over the summer. As long as the shanty has a current license, it will not count as square footage.

To complete well survey, please visit the Land Department website:

<http://www.stlouiscountymn.gov/LANDPROPERTY/TaxForfeitFeeLands/Recreation/CabinLeaseSites/WellSurvey.aspx>